S.A. No. 80 of 2006

Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the appellant and learned standing counsel.

This appeal, preferred under Section 100 of Code of Civil Procedure, 1908, is directed against the judgment and decree dated 03.11.2006, whereby civil appeal No. 35 of 2005, is allowed, setting aside the judgment and decree dated 11.01.2005, passed by trial court in Original Suit No. 137 of 1996, pending before First Additional Civil Judge (Junior Division), Haridwar.

Having heard learned counsel for the parties, it is evident that the lease in favour of the appellant, has already expired and did not stand renewed on the date when the suit was filed by the appellant.

In the circumstances, there appears no illegality in the impugned judgment and decree passed by the lower appellate court, which requires interference of this Court.

The Second Appeal is dismissed in limine. (All pending applications in this case also stand disposed of).

Dt. 08.12.2006 (P.C. Pant, J.)
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